

PTO/SB17 (12-04)

Approved for use through 07/31/2006; OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <b>FEE TRANSMITTAL</b> <b>FOR FY 2005</b> Express Mail Label No.		<b>Complete if Known</b> Application Number 10/712,686 Filing Date 11/12/2003 First Named Inventor UNGER, Robert Allan Examiner Name Le, Vu Art Unit 2613 Attorney Docket No. 81097.7114	
<input type="checkbox"/> Applicant Claims small entity status. See 37 CFR 1.27			
<b>TOTAL AMOUNT OF PAYMENT</b> (\$200)			

**METHOD OF PAYMENT (Check all that apply)**

- ☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account Deposit Account Number: 08-1135 Deposit Account Name: Fitch, Even, Tabin & Flannery  
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  
☒ Charge Fee(s) indicated below ☐ Charge Fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization of PTO-2038.

**FEE CALCULATION****1. BASIC FILING FEE, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims \_\_\_\_\_ Extra Claims \_\_\_\_\_ Fee (\$ \_\_\_\_\_) Fee Paid (\$ \_\_\_\_\_) Multiple Dependent Claims \_\_\_\_\_ Fee (\$ \_\_\_\_\_) Fee Paid (\$ \_\_\_\_\_)

-20 or HP = \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_  
 HP = highest number of total claims paid for, if greater than 20

Indep. Claims \_\_\_\_\_ Extra Claims \_\_\_\_\_ Fee (\$ \_\_\_\_\_) Fee Paid (\$ \_\_\_\_\_)

4 -3 or HP = 1 X 200 = 200

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity)

For each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

\_\_\_\_\_ -100= \_\_\_\_\_ /50= \_\_\_\_\_ (round up to a whole number) X \_\_\_\_\_ = \_\_\_\_\_

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: \_\_\_\_\_

**SUBMITTED BY**

Signature 	Registration No. (Attorney/Agent) 50,869	Telephone (850)552-1311
Name (Print/Type) Julie Hopper	Date June 9, 2005	

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SENT TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

418948V1

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



**Fitch, Even, Tabin & Flannery**  
*Intellectual Property Law*

**RECEIVED**  
**CENTRAL FAX CENTER**  
**JUN 9 2005**

# F A C S I M I L E

Name: U.S. Patent & Trademark Office

FAX: (703) 872-9306


Application No.: 10/712,696

Filing Date: November 12, 2003

Inventor: UNGER, Robert Allan

Art Unit: 2613

Examiner: Le, Vu

From: Julie Hopper, Reg. No. 50,869 

Today's Date: June 9, 2005

Attorney Docket No.: 81097.7114

Pages: 13 pages (Including this one page coversheet)

Dispatched by: Susan R. Telford

**Transmitted herewith for filing via facsimile:**

Transmittal Form (1 pg.); Fee Transmittal (1 pg.); Amendment "A" (10 pgs.);  
Fax coversheet (1 pg.)

The documents accompanying this facsimile transmittal cover sheet contain information from the law firm of Fitch, Even, Tabin & Flannery which may be confidential and/or legally privileged. The documents are intended only for the personal and confidential use of the addressee identified above. If you are not the intended recipient or an agent responsible for delivering these documents to the intended recipient, you are hereby notified that any review, disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmitted information is strictly prohibited. If you have received this facsimile in error, please immediately notify the Firm so that we can arrange for the return of the original documents to us. Thank you.

9276 Scranton Road, Suite 250  
San Diego, California 92121-7701  
Telephone 858-552-1311  
Fax 858-552-0095  
418849v1

PTO/SB/21 (09-04)

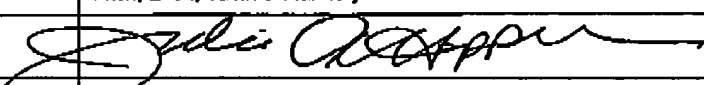
Approved for use through 07/31/2006. OMB 0651-0031


U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

<b>Transmittal Form</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/712,696	
	Filing Date	11/12/2003	
	First Named Inventor	UNGER, Robert Allan	
	Art Unit	2813	
	Examiner Name	Le, Vu	
Total Number of Pages in This Submission		13	
		Attorney Docket Number	81097.7114

ENCLOSURES (CHECK ALL THAT APPLY)		
<input checked="" type="checkbox"/> Fee Transmittal Form (1 pg.) <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (10 pgs.) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeals Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Facsimile coversheet (1 pg.)
Remarks: _____		
Customer Number: 22242		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm name	Fitch, Even, Tabin & Flannery		
Signature			
Printed Name	Julie Hopper		
Date	June 9, 2005	Reg No.	50,869

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Susan R. Telford		
Signature		Date	June 9, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DON NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

418847v1

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

JUN 09 2005

Docket No. 81097.7114

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.: 10/712,696

Applicant(s): Unger

Filed: 11/12/2003

Group Art

Unit: 2613

Examiner: LE, Vu

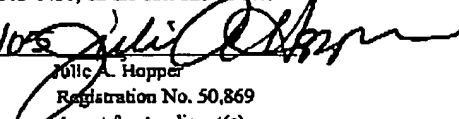
Docket No. 81097.7114

Customer No.: 22242

Confirm. No.: 9238

Certificate of Transmission/Mailing

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Fax No. (703) 872-9306, or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

6/9/05   
Date Julie A. Hopper  
Registration No. 50,869  
Agent for Applicant(s)

## AMENDMENT A UNDER 37 C.F.R. § 1.111

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the non-final Office Action mailed March 9, 2005, please consider the following remarks in the above-identified application as follows:

06/10/2005 SSESHE1 00000050 061135 10712696

01 FC:1201 200.00 DA